

14 May 1973

MEMORANDUM FOR: Richard C. Tufaro

SUBJECT : Brochure on Rights to Mandatory Review

The following are our comments on the draft brochure handed out at the ICRC meeting last week.

a. I think the sentence beginning on line 6 of the paper should be modified so as to limit it to future documents to avoid expectations with respect to current documents. The sentence could begin: "For the first time all newly classified materials...."

b. The last sentence of the same paragraph seems somewhat misleading in that it might be read as being the procedures involved. The procedures of course are prescribed by the Order and Directive, departmental regulations and the forthcoming ICRC procedures. The sentence might be revised: "This pamphlet contains information concerning the procedures...."

c. I suggest the words "required to be" in the first full sentence on page 3 be deleted.

d. Would it not be well to substitute the word "addressed" for the word "referred" in the succeeding sentence?

e. Again on page 3 the last paragraph under the heading "Records More than Thirty Years Old" refers to the departmental committee where it should, I believe, refer to ICRC.

f. I would delete the paragraph on page 4 concerning the burden of proof. There is, so much confusion and conflict in this area that it would not seem useful to mention it. As you know, the Executive Order does not treat the subject but there have been public pronouncements on it. The proposed ICRC procedures substitute the term "burden of persuasion".

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LAWRENCE R. HOUSTON
General Counsel

OGC:RHL:sin
Original - Addressee
1 - SAIC
1 - OGC